

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EARNEST S. HARRIS,
Plaintiff,

v.

HARMAN, et al.,
Defendants.

Case No. 15-cv-01117-JST

**ORDER DISMISSING ACTION WITH
PREJUDICE**

Re: Dkt. No. 31

Plaintiff, a state prisoner at California State Prison–Corcoran, filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983 alleging constitutional violations by staff at Pelican Bay State Prison (“PBSP”), where he was previously incarcerated. On July 14, 2015, the Court found the complaint, liberally construed, stated claims for excessive force and retaliation and ordered service on correctional officers Harman and Gomez at PBSP.

On February 11, 2016, the Court received a copy of a “Stipulated Voluntary Dismissal with Prejudice” pursuant to Fed. R. Civ. P. 41(a)(1) signed by both plaintiff and counsel for defendants. The signed stipulation states:

Plaintiff Earnest Harris and Defendants Gomez and Harman stipulate under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that the above entitled action shall be voluntarily dismissed with prejudice. Each party shall bear its own litigation costs and attorney’s fees.

(Dkt. No. 31.)

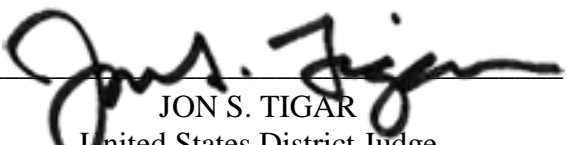
1 Accordingly, having been notified of the settlement,

2 IT IS HEREBY ORDERED THAT this action and all claims asserted herein against
3 defendants are DISMISSED WITH PREJUDICE. The Court will retain jurisdiction to enforce the
4 parties' settlement.

5 The Clerk is directed to correct the spelling of the name of defendant Harman on the court
6 docket by substituting "Harman" for "Herman."

7 IT IS SO ORDERED.

8 Dated: February 16, 2016

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10 JON S. TIGAR
United States District Judge

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United States District Court
Northern District of California